

IN SENATE
OF
THE UNITED STATES,

JANUARY 23, 1818.

The Committee of Claims, to whom was referred the petitions of Joseph Cumming, administrator of James Murren; and Samuel Parker, executor of George Parker, deceased,

REPORT:

The petitioners represent the persons in whose right they claim as having been purchasers of lands embraced in the grants which issued in conformity to the act, or pretended act of the legislature of Georgia, passed the 7th of January, 1795, otherwise called the Yazoo act. Their purchases amounted together, to about 594,000 acres:—The purchasers have surrendered their claims to the state of Georgia; and withdrawn the monies from the state Treasury, which they had paid into it on account of the purchase. The petitioners pray they may have the benefit of the act of Congress, passed the 31st March, 1814, providing indemnity for outstanding claims arising under the aforesaid act of Georgia, upon their paying the monies redrawn as aforesaid, with interest thereon, into the United States Treasury.—The only documents laid before the committee are the petitions. The petitioners refer to the evidence sent to the general government, by the state of Georgia, for the ascertainment of their claims. The committee cannot discover the names of the aforesaid purchasers in the documents printed in the first volume of the last edition of the laws, and they have not felt themselves called upon to search the records of the proper department. The merits of the claims do not appear to rest on documentary evidence. The petitioners admit the persons to whose estates they act as executor and administrator released their claims; this with them was matter of option, and it is not alledged any of their property has been withheld. They became purchasers on speculation, and they seem to have withdrawn their money, not more out of respect for the law of the state than from a belief it was their interest to do so. It seems from the petitions the administrator may be an assignee of the purchaser under whom he claims. If so, the assignment of a released claim is at least a novelty.

The petitioners appear to have mistaken the object of the act of Congress, providing indemnity. There existed second purchasers

who had paid a much higher consideration than the first adventurers, who had purchased without a knowledge of the corruption of the Georgia legislature, and who had prosecuted their claims for a long series of years at a great expense before Congress. These the committee apprehend were the description of persons whose claims produced the act of indemnity. There were very possibly persons benefited by this act of doubtful merit. But it was not the relief of such, it is believed formed the main object. The exclusion by the act aforesaid, of those who had released their grants, and withdrawn their money, was not incidental; *it was express*, and was the result of *deliberate investigation*. It would be unwise, the committee believe, to enlarge the operation of that act, as it is reasonable to suppose persons other than those who were entitled to relief, either in equity or policy, have been already benefited. The committee are of opinion, that more than has been done, cannot be claimed even of the benevolence of Congress, and therefore submit the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.